

REMARKS

Reconsideration is requested.

Claim 1 has been canceled, without prejudice. Claim 8 has been withdrawn from consideration. Claims 2-10 are pending.

The Examiner is requested to return a completely-initialed copy of the PTO-1449 Form bearing the OIPE date-stamped of October 11, 2005. Specifically, the PTO-1449 Form returned with the Office Action of January 9, 2008, does not include the Examiner's initials next to the International Search Report for PCT/KR03/00733. The entirety of the PTO-1449 Form has been signed by the Examiner on December 20, 2007, and the other references indicated as having been specifically considered by initialing next to each of the references. The International Search Report for PCT/KR03/00733 however does not include in the left-hand column the Examiner's initials. A completely-initialed copy of the PTO-1449 Form filed October 11, 2005, pursuant to MPEP § 609, is requested.

To the extent not made moot by the above amendments, the Section 102 rejection of claims 1, 2 and 10 over Cho (JP 01233207), is traversed. Reconsideration and withdrawal of the rejection are requested in view of the following distinguishing comments.

The present invention relates to a composition for promoting the proliferation of fibroblasts and keratinocytes comprising a mixed extract from Areca catechu seed and Glycyrrhiza glabra and a cosmetic composition for skin-whitening and a remedy of skin wrinkles comprising the same.

The applicants submit that the cited document (Cho (JP 01-233207A)) discloses a hair tonic by combining the extract of at least 5 kinds of crude drugs selected from fruit of *Chaenomeles sinensis* etc., with the extract of at least one kind of crude drug selected from root of *Glycyrrhiza uralensis* etc.

The applicants submit that the statistical chart on curative result disclosed in Table 2 (upper column of page 37), of the cited document exhibits high effective degree and curative degree in clinical trials and is evidence of its effect on alopecia.

The applicants submit that the present invention relates to a functional cosmetic composition to use natural extracts for specific uses and that judging whether any invention relates to functional cosmetics requires consideration of their use. Thus, the applicants submit that cosmetics exhibiting biochemical or physical effects/efficacy, especially having a specific object, may be considered as functional cosmetics.

The biochemical effects/efficacy of the invention when applied to the skin include the following.

This invention can enhance the proliferation of keratinocyte (Experimental Example IV-1, lines 2-5 of page 22) and fibroblasts (Experimental Example IV-2) and consequently increases skin elasticity (Experimental Example 7, lines 3~8 of page 26) and simultaneously improve skin whitening effects. Furthermore, the formulation of this invention is appreciated as stable through experiments on formulation stability (Experimental Example 9, lines 16~18 of page 28) and causing little or no skin irritation through skin patch test using Haye's Test Chamber. (Experimental Example 10, lines 3~7 of page 10)

The applicants submit that it has been confirmed with clinical trials that Cho is drawn to hair tonic having a use in hair loss. (See table 2, upper column in page 37).

The claimed invention therefore is submitted to be distinct from the cited document and withdrawal of the Section 102 rejection is requested.

To the extent not made moot by the above amendments, the Section 103 rejection of claims 1-7 and 9-10 over Cho and Ribier (U.S. Patent No. 5,658,575), and the Section 103 rejection of claims 1-7 and 9-10 over Albacarys (U.S. Patent No. 6,338,855), are traversed. Reconsideration and withdrawal of the rejections are requested in view of the following distinguishing comments.

The deficiencies of Cho, described above, are not cured by the secondary references. Specifically, the applicants believe that Ribier et al. (U.S. Patent No. 5,658,575) aims to provide cosmetic and dermatological compositions which exhibit an improved penetration into the skin and comprise an oil-in water type emulsion comprising oily globules which are each coated with a lamellar liquid crystal coating and dispersed in an aqueous phase.

The applicants further submit that Albacarys et al. (U.S. Patent No. 6,338,855 B1) aims to provide substantially dry washcloth-like articles for both cleansing the skin or hair, wherein the articles are used in combination with water.

The cited document provides disposable, single use personal care cleansing and conditioning articles comprising (A) a water insoluble substrate, (B) at least one lathering surfactant added onto or impregnated into said substrate, and (C) a skin care

component comprising at least one skin care active selected from the group consisting of water soluble skin care actives, oil soluble skin care actives and mixtures thereof.

Ribier relates to cosmetic and dermatological compositions having improved penetration into the skin and the hair.

Albacarys provides substantially dry washcloth-like articles for both cleansing the skin or hair and delivering a skin or hair, wherein the articles are used in combination with water.

Despite the fact that the cited Cho may teach a composition applied to the scalp, the Examiner is understood to regard the scalp as the facial skin.

As the skin of the face is tissue which is very sensitive to irritation, facial skin should not be regarded as the same as or similar to the scalp.

Therefore, even if any material is applicable to the scalp, there is no example or suggestion of direct application to the facial skin. Further, there is not believed to be a suggestion regarding the amount of active ingredients which are required for stability on the facial skin.

The claims are submitted to be patentable over the cited combination of art. Withdrawal of the Section 103 rejections are requested.

While not believed necessary, the applicants submit that the claimed invention provides unexpectedly superior results.

The cited art neither discloses nor suggests the use of mixture of an extract from a seed of *Areca catechu* and an extract from *Glycyrrhiza glabra*.

The applicants submit that experiments relating to inhibition effects on tyrosinase activity (Table 2), inhibition effects on melanin synthesis (Table 3) and the effect on cell proliferation (Table 6) demonstrate a synergic effects can be achieved when using the mixture of an extract from a seed of *Areca catechu* and an extract from *Glycyrrhiza glabra* than when using them separately. Experimental results of Tables 2-8 demonstrate the synergic effects on the skin, simultaneously skin whitening and remedy of skin wrinkles, from the claimed combination of ingredients.

Withdrawal of the Section 103 rejections is requested.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested.

Respectfully submitted,

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